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Introduction

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Introduction

John W. Welch

On Saturday, February 24, 2001, a conference entitled Hebrew Law in the Book of Mormon was held at Brigham Young University. Law was extremely important in the ancient world, especially among the Israelites. Although it is often difficult to know exactly what the substantive and procedural rules of Israelite courts might have been in the seventh century B.C. and how much of that jurisprudence was carried over into the New World on the plates of brass and through the customs of Lehi and his descendants, reasonable reconstructions of Hebrew law in biblical times can be made, and those studies shed interesting light on possible meanings of many words and deeds reported in the Book of Mormon.

This public symposium, sponsored by the Foundation for Ancient Research and Mormon Studies, was well attended. The conference had four purposes: (1) to introduce and celebrate the recent publication of the second edition of Ze'ev W. Falk's *Hebrew Law in Biblical Times*;¹ (2) to make the general public more aware of the substantial amount of work that has been done in the last twenty years on Hebrew law in the Book of Mormon, particularly by my students in the law school at Brigham Young University; (3) to present selected recent research reports on law in the Book of Mormon; and (4) to collect reactions, responses, and suggestions from colleagues and the general audience. This copublished special issue of *Studia Antiqua* serves as the main report of those proceedings. The following details about the program provide an overview of the setting in which the student papers contained in this issue were presented.

The day-long program began with a welcome by M. Gerald Bradford, Director of Research at FARMS, followed by my brief description of the value of the new edition of Falk's book for those interested in understanding law in the Book of Mormon. A special tribute to Falk was then given by Douglas H. Parker, to help attendees and readers of Falk's book appreciate more of the spiritual and intellectual character of Professor Falk, who died in September of 1998, before the new edition of his book was completed.

Among my remarks about Falk's book were the following:

For anyone wanting to begin a study of Hebrew law, this book is a good place to start. It is not the final word on biblical law, but it gives an excellent orientation. For twenty years I have used photocopies of this book in my biblical law class at the law school, and this book has easily been the students' favorite as an introduction to this area of the law. Falk's book is clear, succinct, and conveniently organized by legal topics such as judicial procedure, crimes, torts, property, and family law. This book is admirable, not only because of its lucidity, but also because it is so true to the good spirit behind the letter of biblical law.

Many approaches have been taken over the years to the study of biblical law. Some of these approaches, often by secular scholars, have focused heavily on comparative Near Eastern sources, emphasizing the points of similarity between the law codes in the Bible and the Babylonian, Hittite, or Assyrian laws from Mesopotamia and often de-emphasizing the uniqueness of ancient Israelite law and society and attempting to explain everything in biblical law as a product of its surrounding ancient environment. On the other hand, Orthodox Jewish scholars, as one might expect, take another approach, seeing Hebrew law as a completely unique phenomenon fully consonant with later legal interpretations of the Talmud, which the Rabbis traced back through assumed oral traditions to Moses himself.

Falk's approach balances these two extremes. He is well aware of influences from the ancient Near East, but he is not beholden

to them, for they do not explain everything in biblical law. For instance, biblical law was ahead of time in its repudiation of distinctions in social class for virtually all legal purposes. Nowhere else in the ancient world do we find equality and classlessness to the extent that we do in the biblical texts. This brings into focus several passages in the Book of Mormon dealing with slavery and social justice, as discussed below. Falk is quick to point out such Israelite features and, while he is thoroughly informed about later Jewish law and is sensitive to the Talmud's use of biblical sources, he does not trace later Jewish developments back into the earlier texts.

Needless to say, I find Falk's approach healthy and satisfying. In many ways it is similar to the approach that FARMS takes in the study of Latter-day Saint scripture and history—one that balances faith and relevance to the tradition with sound historical study and research. Of course, Falk never mentions the Book of Mormon, but his book has been the inspiration of many of FARMS publications over the years. Several examples can be seen in *Charting the Book of Mormon*.² Chart 119 presents five Hebrew terms for "law"—*torah*, *mishpat*, *huqqah (hoq)*, *mitzvah*, and *edut*. It was Falk's discussion of these terms of law³ that led me to look at the various words used for law in the Book of Mormon. This resulted in the discovery that the Book of Mormon usage comports quite remarkably with these Hebrew terms. Falk's discussion also enlightens modern readers as he explains that the Hebrew word *torah* comes from the root meaning "teachings" or "instructions."⁴ We speak of the "law" of Moses; but the "torah" of Moses would be better translated as the "teaching" of Moses. This nuance makes a difference. Think how different one would feel about the *Teachings of the Prophet Joseph Smith* if Joseph Fielding Smith had called his compilation the *Law of the Prophet Joseph Smith* instead of the *Teachings of the Prophet Joseph Smith*.

Falk also understands the importance of the family as the basis of law in society. In chapter 2 he provides a helpful introduction to the tribal backgrounds of Israelite law in society.⁵ The

spirit of biblical law is based in the family, and this was one of Falk's areas of legal specialization. His book begins and ends with tribal and family considerations. His work led me and my students to several of the topics that will be presented herein on women, widows, and inheritance. Falk also emphasizes the covenantal foundations of the law, another topic of obvious interest to readers of the Book of Mormon.

Above all, Falk recognizes the prominence of God in biblical law. His discussion of the role of divine judgment in biblical administration of justice in his chapter 3, for example, has led me and my students into a discussion of the role of divine judgment in the signs that led to the resolution of Sherem's accusations against Jacob and of Korihor's case before Alma the high priest. It was Falk's discussion of divine judgment that helped me read these cases with greater attention to their legal details. In her review of Falk's first edition, Eva Oswald correctly observed, "It is to be especially emphasized that Falk is particularly clear that Hebrew civilization cannot be analyzed with the help of law alone, but also religious, moral and social norms must play a role."⁶ Latter-day Saints would certainly agree with that assessment.

On almost every page of Falk's handy introduction to Hebrew Law parallels to the Book of Mormon can be seen, for the Nephites were, indeed, a part of ancient Israel. For example, Hebrew legal documents at the time of Jeremiah were prepared in a double format, and similar documents have been discovered by archaeologists, as chart 117 of *Charting the Book of Mormon* shows. Falk mentions these doubled documents: "A double document, the upper half of which was rolled and sealed, while the lower part remained open for inspection."⁷ It does not take much imagination to see that the Book of Mormon plates were similarly configured, with one part opened and the other part sealed.

I am very grateful to Ze'ev Falk. The more I have learned about the nature of ancient Israelite law in Jerusalem at the time of Lehi and Nephi, the more I am able to understand the

background of Nephite civilization. Nephi, Jarom, Alma, and other Nephite prophets who lived down to the time of the book of 3 Nephi attested that they were strict in observing the law of Moses in all things. It follows that the more we can know about the law of Moses in 600 B.C., the better chance we will have of understanding Nephite law and society. I hope that you will enjoy using this book and getting to know the spirit of this scholar as much as I have. I hope that it will add to your knowledge—that it will stimulate you to think and increase your testimony of the truthfulness of the law given through Moses, one of the greatest prophets who has ever lived, and of the Book of Mormon, the history of a people who drew great strength by following the principles and precepts of the law of Moses.

Among Professor Parker's comments were the following expressions of esteem and appreciation:

Ze'ev was born May 11, 1923, in Breslau, Germany, and died of a brain tumor in Jerusalem on *shabbat*, September 19, 1998, at age 75. He immigrated to Palestine with his parents and brother in 1939. I first met him in 1981 when I was a visiting research professor for six months with the law faculty at Hebrew University. I was surprised at the warmth of his greeting and the spirituality that seemed to radiate from him.

On the second or third visit to his office, he invited me, my wife Corene, and my fourteen-year-old daughter to his home to participate with his family in the celebration of the Passover *seder*. In the weeks and months that followed, we frequently visited and engaged in earnest conversation. Ze'ev shared spirituality and fellowshiped with a range of friends across religious lines. On two occasions he stayed as a houseguest in our home in Provo, each time for three or four nights.

At a dinner party we held for Ze'ev one evening while he was staying with us, Elliot Butler asked him when he thought the Jews would undertake the rebuilding of the Temple. He said, "Not until the spiritual reunification of the Jewish people occurs." Before then, the project would be too divisive and internally destructive, and internally pose more of a threat to the state of

Israel than the external threat posed by the antagonism of Arabs and Jews. When asked what would ever bring about spiritual reunification, he replied, "The coming of the Messiah."

One day I took Ze'ev to Salt Lake to meet Neal A. Maxwell. After the visit he expressed great interest in the fact that the functions of prophet, priest, and king were combined in the same persons in the Latter-day Saint kingdom of God, and there was no separation of power and checks and balances—no separate office of prophet to scold the priests and the king.

You might wonder where Ze'ev Falk positioned himself within Judaism—was he orthodox, conservative, or reform? He had a devout relationship with God, kept the Sabbath, celebrated the festivals, and honored and kept the orthodox observances, but he said that none of these designations comfortably described him. He said that "reconstructionism" probably fit him the best. A tribute to Ze'ev printed in the front of volume 13 of the *Journal of Law and Religion* shows the affection, esteem, and respect held for him by the professional circle in which he was such a dominant and recognized figure. Among other things, the tribute says: one of his major missions "was to rebind Jewish intellectual tradition and spirituality back together in Jewish seminaries and in our common life. What he believed, he embodied: Ze'ev's intellectual and spiritual lives were rarely separated. . . . He [promoted] a larger understanding of the human person as *b'tzelem elokim* (imago dei), a vision that would find him equally at home in Reform, Conservative and Orthodox synagogues, or raising a devotion to God among his Muslim, Christian, and Buddhist friends. It was a vision that would lead him to demand for women first and foremost a place within the spiritual life of the Jewish community among all of the demands for equal respect that he made for them and for others left out of the community."⁸

I was deeply saddened by the news of his passing and feel it as a personal loss. Of all the persons whom I met during my six months' stay in Israel, Ze'ev was the one who lifted and

warmed my spirit and conveyed to me the holiness of the Jewish heritage as well as the holiness of the brotherhood and sisterhood of all people.

The second session on the conference considered various sources for understanding law in the ancient world, the Bible, and the Book of Mormon. Presenters in this session addressed basic questions concerning the extent to which the Nephites relied on the legal materials in the Pentateuch as the basis of their legal system and the extent to which they diverged or created their own law. Noel B. Reynolds discussed “Lehi as Moses,” expanding upon material that had recently been published in the *Journal of Book of Mormon Studies*.⁹ Reynolds concluded: “Lehi’s last address to his people appears consciously to invoke at least fourteen important themes and verbal formulations from the final addresses of Moses as recorded in Deuteronomy. . . . When these are added to the numerous similarities of historical circumstance, Lehi’s intention to invoke Moses as a type for himself is placed beyond doubt.”

In addition, I identified and explained ten tools that students should learn to use in trying to understand Hebrew law in the Book of Mormon: (1) watch for technical legal terminology, (2) understand characteristic modes of legal expression, (3) work with a broader understanding of “law,” (4) see the relative stability of ancient law, (5) strive to think more like an ancient person, (6) study the cases, (7) think procedurally, (8) look for the importance of the precedents set by these cases in Nephite religious history, (9) make skillful use of comparative law, and (10) be mindful of changes within Nephite civilization over time. In illustrating these points, I discussed legal reforms within the Book of Mormon, Jacob’s use of terminology from the Ten Commandments, the Nephite law lists, the cases found in the Hebrew Bible and in Nephite scripture, the legal charges brought against Abinadi, and an overview of comparative legal traditions related to biblical law.¹⁰

Two student papers were presented in this second session: Claire Foley discussed “The Noachide Laws,” rules that set a minimum legal standard for all people; her paper appears herein. Drew Briney discussed “Deuteronomy and Nephite Law,” a subsequent version of which will appear in a forthcoming volume on Lehi’s Jerusalem.¹¹ Briney explored the influence of Deuteronomic law on Nephite jurisprudence, arguing that such a study legitimizes a more common and fundamental assumption—that the reference in 1 Nephi 5:11 to the “five books of Moses” found in the plates of brass does indeed include Deuteronomy. He highlighted fifteen of Deuteronomy’s legal provisions and listed evidences of Deuteronomy’s influence on Nephite jurisprudence. Some of these provisions were crucial to Hebrew jurisprudence at the time of Josiah and Lehi (e.g., centralization of worship) and remained crucial to Nephite jurisprudence as well. Occasionally, items that seem to be crucial to Hebrew law are either not significantly present in the Book of Mormon or not present at all (e.g., interest on loans, provisions for divorce, certain military exemptions for war).

The final morning session focused on law and social justice in the Book of Mormon. Questions considered were: Was ancient Israel a class-based society? In what sense were all people equal in Nephite society? How were the poor treated in Nephite law? And particularly, what was the Book of Mormon’s attitude toward slavery? Student papers presented included those by James Moss, “Slavery and Indebtedness in King Benjamin’s Address,” and Gregory Knight, “Servitude in Nephite Law,” both of whose research is included in this volume.

In response to these papers, Professor Donald W. Parry discussed the attitudes of King Benjamin toward slavery. Parry discussed a literary unit of King Benjamin’s speech (Mosiah 2:11b–28) that pertains to serving and service. In this section of the sermon, Benjamin uses the term *servants* (once), *serve* (six times), *served* (once), and *service* (seven times)—four

variations of the word used fifteen times in eighteen verses. In his use of these words, Benjamin, the master of discourse, evoked images of service through manual labor, servitude as defined by the laws and customs regarding slavery, kings, and vassals, as well as service as it pertains to temple work and religious service or ritual. Parry then outlined the use of the word *service* and related words in the Hebrew Bible, with particular emphasis on phrases pertaining to the tabernacle and the temple, where the rites and performances of the Mosaic sacrificial system were often called service. Formulaic phrases such as “the service of the house of God,” or “in the service of the house of the Lord,” or “every one that entereth into the service, to do the work of the tabernacle” are used to describe temple worship. A connection to the temple was very important in Benjamin’s discussion of service, and it is very probable that he had in mind these various Old Testament formulae that connected service to the temple system. His listeners could see the temple in the background as he spoke, and thus, Parry concludes, “many in Benjamin’s audience would have made the connection between temple service and Benjamin’s references to service, and thus would have had a greater appreciation for his words.”

The first afternoon session dealt with law and life, particularly addressing such questions as: How is murder defined and treated in the Book of Mormon? Why are there so many mentions of death in the Book of Mormon? And how was murder treated in the ancient world? How should we understand the slaying of Laban and the slayings by Teancum in light of ancient Hebrew law? In approaching these questions, I offered the following:

The people of the Book of Mormon certainly held the deepest respect for human life, and only under very particular circumstances could life be taken. The Bible was strongly opposed to murder as well, and throughout the Book of Mormon, murder heads the list on all lists of prohibitions for the Nephites. The

penalty for murder was death, as we read in Alma 30:10, and although Alma lists a number of crimes for which people were punished, murder is the only one for which Alma names the death penalty as mandatory.

Throughout the Book of Mormon, righteousness is also a matter of life and death. The entire book is comprised of a series of situations dealing with choosing life or death. And in the slaying of Laban we see several legal principles carefully balanced and applied to achieve a very unique but legal result.

First, we know that Hebrew law included cases of excusable or allowable homicide, even outside of warfare. Besides the right to slay a nighttime intruder in your home under Exodus 22:2, a killing that did not require a man to wait to convict the intruder before the town elders, we have an interesting case that arose when all Israel was suffering from a plague because some of the men were having sexual relations with Moabite women. Moses commanded the judges to kill any of the men in their tribes who were offenders. Phineas, the grandson of Aaron, took a javelin and went into a tent where he found a man and a Midianite woman and “thrust both of them through, the man of Israel, and the woman” (Numbers 25:8). For his zeal, Phineas was given by God a “covenant of an everlasting priesthood; because he was zealous for his God, and made an atonement for the children of Israel” (25:13). In this way the plague was removed from the children of Israel, for it was better that the offenders be killed than that the whole nation of Israel should die. Notice that there were no trials for these two offenders. They were given no further warning than the general one already issued (25:4–5). No evidence was presented to prove that they had violated the law. The rule of two witnesses was not invoked. This shows that under certain circumstances, people authorized in certain ways could take life in order to achieve a higher goal.

Second, another important difference between the Hebrew world and ours was the right of a prophet to abrogate or suspend the law in certain circumstances. Bernard Jackson has shown

that this is the sense of the passage in Deuteronomy 18 regarding the “prophet-like-Moses.”¹² Under Hebrew law, a prophet who is like Moses can change the law. He is the bearer of divine commands and legal formulations. Later Jewish law would identify certain individuals whom the Rabbis considered to have possessed just this kind of authority to suspend the normal operation of law when guided as a prophet like Moses. The only restriction was that they could not command idolatry. The Rabbis explained, “If a prophet tells you to transgress . . . the commands of the Torah, obey him, with the exception of idolatry.”¹³ Thus it is significant that, like Lehi, Nephi compares himself on several occasions to Moses. In 1 Nephi 4:2, Nephi encourages his brothers to return to Jerusalem promising that God would deliver them as he had Moses, and in 1 Nephi 17:41–42, Nephi implicitly likens himself to Moses while preaching to his brothers Laman and Lemuel. Deuteronomy 18 does not imagine that there would be only one prophet like Moses. Bernard S. Jackson rightly sees that such a prophet will be needed continually so that the people will not turn to augury and divination. Having other prophets gives rise to the need to be able to differentiate true prophets from false ones. Indeed, Jackson states, “The coming of such a prophet is not described in Deuteronomy as a . . . once-and-for-all event.”¹⁴ The Book of Mormon is consistent with this understanding and is within its ancient rights to see both Joseph Smith in 2 Nephi 3:7–11 and Jesus in 3 Nephi 20:23 as prophets like Moses. All this bears on the slaying of Laban. By receiving the word of the Lord directly from the Spirit, Nephi became a prophet like Moses and, as such, Nephi had the right to suspend or clarify the law as necessary.

Moreover I wish to argue that in constraining Nephi, the Spirit of the Lord did not require him to act outside the prevailing rules of his day, but simply gave him authority to interpret those rules in a way that applied them to his particular facts. In other words, under the unique facts of his case, Nephi could see that what the Spirit was telling him was legal and justifiable on two counts, first, according to the “better one than all” principle

and second, according to the “not culpable homicide” principle found in Exodus 21:12–14.

Following a discussion of the first of these principles,¹⁵ I explained the idea of excusable homicide under Hebrew law.¹⁶ From these points, I identified several factors that would have put Nephi’s situation outside of the strict definition of murder under ancient law and moved it to within the protection of the rules for mitigated slayings. No single factor in this analysis is dispositive, but the entire picture that Nephi gives us of this event would vindicate him. Now, I do not know if Nephi would have been able to persuade a court in Jerusalem to let him off or not, but I think he certainly saw himself as not having violated the law.

Finally, I suggested that confirmation of this analysis can be found in the contrasting treatment of Teancum in the last part of the book of Alma, where the slayings committed by Teancum are not treated so positively. When Teancum killed Ammoron, things became more problematic. Unlike Phineas, Teancum acted independently, not according to the decision of the group. And unlike Nephi, Teancum went forth with cunning, seeking his prey. He went from place to place, looking for Ammaron very deliberately. Teancum does not say that he was led by the Lord. No miracle of finding that the Lord had put Ammoron in front of him occurred. In fact, Teancum, Alma 62:35–36 says, was “exceedingly angry with Ammoron . . . and . . . in his anger did go forth.” Animosity is a dominant factor that takes a slaying outside the rules defining forgivable homicide in Numbers 35. Nephi was reluctant, but Teancum sought this slaying out. And notice that Teancum didn’t get away with it. After he had thrust his javelin through Ammoron, the dying king made a noise that woke his servants, who pursued Teancum, caught him, and killed him. Perhaps this indicates some element of divine disapproval. At a minimum, looking closely at the facts of these two cases and thinking carefully in terms of Hebrew law helps us to focus on several significant details. To understand these cases and others from the ancient world, it is important to judge them by ancient standards and definitions, not by modern concepts or predispositions.

Next, Alison Coutts presented "The Legal Concept of Refuge," a paper that drew on her Master's thesis, which was completed in 2001.¹⁷ She discussed Old Testament laws that defined asylum in ancient Israel and compared them to descriptions of passages in the Book of Mormon that appear to reflect the asylum tradition, including those that mention prohibition of slavery, blood vengeance and homicide, altars, temples, and sacred space. She considered at length the story of the Anti-Nephi-Lehis in relation to aspects of cities of asylum. While the details of the transfer of the land of Jerushon to the Anti-Nephi-Lehis do not specifically follow the laws set forth in the Old Testament, there are enough similarities to support her "belief that the people of the Book of Mormon possessed and carried on the traditions brought with them by Lehi and Nephi from Jerusalem."¹⁸

The mid-afternoon session considered the roles and functions served by God in the Hebrew legal system and judicial process. In particular, Why did biblical law care so much about offending God? What offenses against God were legally punishable? How does this information help us to understand the Book of Mormon? The presentations by David Warby on "The Law and False Prophecy" and Eric Vernon on "The Laws of Blasphemy" are included in this volume. Professor Steven D. Ricks, in a presentation titled "Oaths and the Divine Role in the Israelite Legal System," commented on God's role in the legal process and particularly on the importance of oaths and curses as a means of including God's presence in court and in validating testimony and other legal actions in the Israelite justice system. Professor Ricks discussed the structure of oaths and covenants (described as a two-sided oath) in ancient Israel. Oaths were and are essential to society as "the well-being and security of a community depends on its members speaking the truth in matters of crucial importance. Oaths provide a means of impressing upon the party or parties involved in an important affair their obligation to truthfulness and dependability."

The concluding session dealt with law and family, particularly the questions: How does an understanding of Hebrew law illuminate passages in the Book of Mormon? What eternal values or principles stand behind Hebrew family law, and what practices of ancient family law are obsolete and culturally conditioned? Carol Bradley presented her paper on "Family Law and Women" and Hannah Smith a paper on "Protecting Widows and the Fatherless in the Book of Mormon" both published in this volume. This session concluded with a panel discussion that included several of the presenters at the symposium, together with Professor S. Kent Brown. These were among the remarks that he made:

I have already noted passages in Falk's book that particularly stimulate my thinking about issues in the Book of Mormon. That's one of the wonderful things about reading a text like that—suddenly, if we're paying attention, it becomes clear that issues that are raised in the world of biblical law also apply, in some measure, to the world of the Book of Mormon. For example, such issues as described in the final two presentations have to do with the situation of women. In the passage from Moroni chapter 9 (which Sister Smith mentioned), the treatment of women, both by Lamanite warriors and by Nephite soldiers, is Mormon's way of saying how far down the slippery slope these societies have already slid. It says something about the direction that they're going, which at that point had become irreversible. It's interesting that he appeals to the situation of women to say just how bad things have become. Jesus similarly uses the situation of women in his prophecy about the fate of Jerusalem and the last days in Matthew 24 and parallel passages. Both Mormon and Jesus appeal to the same standard.

Another situation involving women concerns the abducted Lamanite daughters. This is one of the dimensions of the Book of Mormon text that pulls us into the world of biblical law. And it does so because Mormon allows this to stand from his sources. When the Lamanite army that had been chasing Limhi and his people into the forest became lost, they stumbled

onto the people of Amulon (as they're called by then), who had abducted and married these twenty-four young women, who knows by what means. But it's interesting that in the text of Mosiah, the women are called "wives," and men of Amulon, the wicked priests, are called "husbands." So it's clear that at least in Nephite culture, even though the wives were taken against their will, even though a crime was committed in the process—the word "stolen" was used to describe the wicked priests' action—nevertheless, at that point the men and women are legally considered husbands and wives. And that's a very interesting wrinkle in all of this, consistent with ancient Hebrew culture, and that sort of invited me into the whole issue, which I have discussed elsewhere.¹⁹

I hope that this information contextualizes the papers that appear in this special conference issue. Also at the symposium, a brief bibliography of publications and student papers on Hebrew law in the Book of Mormon was circulated. An expanded version of that bibliography is included at the end of this volume. The student papers on that list have been produced over the years in my law school seminars on law in the ancient Near East, Bible, and Book of Mormon. Many of those papers are now available in the reserve library and on the electronic reserve of the Howard W. Hunter Law Library in the J. Reuben Clark Law School at Brigham Young University.

Many people assisted in planning the program and coordinating the events of this symposium, for which I am very grateful. These people include especially Claire Foley, as well as Gerald Bradford (Director of Research at ISPART) and Brent Hall (former Director of Operations at ISPART), and all of the participants. Everyone involved is pleased to make the following papers available in this special edition of *Studia Antiqua*, and we are grateful to the editors at ISPART, to the student editors of this journal, and to the faculty advisors who have made this special copublication possible.

John W. Welch

Notes

1. Originally published in Jerusalem by Wahrmann in 1964; enlarged 2nd ed., ed. by John W. Welch and published by Brigham Young University Press and Eisenbrauns in 2001.

2. John W. Welch and J. Gregory Welch, *Charting the Book of Mormon* (Provo, Utah: FARMS, 1999).

3. Ze'ev W. Falk, *Hebrew Law in Biblical Times*, 2nd ed. (Provo, Utah, and Winona Lake, Ind.: Brigham Young University Press and Eisenbrauns, 2001), 9–10.

4. *Ibid.*, 10.

5. *Ibid.*, 23.

6. Eva Oswald, *Orientalistische Literaturzeitung* 62/5–6 (1967): 262. For other reviews see Edward F. Siegman, *Catholic Biblical Quarterly* 27 (1965): 303–4; Otto Eissfeldt, *Zeitschrift der Deutschen Morgenlandischen Gesellschaft* 116 (1966): 375–76; G. R. Driver, *Journal of Theological Studies* 16 (1965): 478–79; P. Wernberg-Møller, *Journal of Semitic Studies* 11 (1966): 261.

7. Falk, *Hebrew Law in Biblical Times*, 60.

8. Marie Failing, “In Memory of Ze'ev Falk,” *Journal of Law and Religion* 13/1 (1996): ix–xi.

9. Noel B. Reynolds, “Lehi as Moses,” *Journal of Book of Mormon Studies* 9/2 (2000): 26–35.

10. See charts 114, 120, 121, 123, and 127 in *Charting the Book of Mormon*.

11. John W. Welch, Drew Briney, and Robert Hunt, “The Influence of Deuteronomy on the Book of Mormon,” in *Glimpses of Lehi's Jerusalem* (forthcoming).

12. Bernard S. Jackson, “The Prophet and the Law in Early Judaism and the New Testament,” *Cardozo Studies in Law and Literature* 4/2 (1992): 127.

13. *Ibid.*, 135, quoting TB, Sanh. 90a.

14. Jackson, “The Prophet and the Law,” 127.

15. See the discussion in *Pressing Forward with the Book of Mormon*, ed. John W. Welch and Melvin J. Thorne (Provo, Utah: FARMS, 1999), 17–19; and chart 115 in *Charting the Book of Mormon*.

16. See John W. Welch, “Legal Perspectives on the Slaying of Laban,” *Journal of Book of Mormon Studies* 1 (1992): 119–41.

17. Alison V. P. Coutts, “Refuge and Asylum in the Ancient World” (Master's thesis, Brigham Young University, David M.

Kennedy Center, 2001). A shortened version of her presentation appears in her essay "From a Convert's Viewpoint," in *Echos and Evidences of the Book of Mormon*, ed. Donald W. Parry, Daniel C. Peterson, and John W. Welch (Provo, Utah: FARMS, 2002), 421–52. She discusses asylum on pp. 425–30 of that article.

18. Coutts, "From a Convert's Viewpoint," 430.

19. S. Kent Brown, "Marriage and Treaty in the Book of Mormon: The Case of the Abducted Lamanite Daughters," in *From Jerusalem to Zarahemla* (Provo, Utah: BYU Religious Studies Center, 1998), 99–112.